

PATENT



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:  
S. Carl Falco et al.

CASE NO.: BB1067 US CNT

APPLICATION NO.: 09/989339

CONFIRMATION NO.: 4340

GROUP ART UNIT: UNKNOWN

EXAMINER: UNKNOWN

FILED: NOVEMBER 20, 2001

FOR: PLANT METHIONINE SYNTHASE GENE AND METHODS FOR INCREASING  
THE METHIONINE CONTENT OF THE SEEDS OF PLANTS

**RESPONSE TO NOTICE OF INCOMPLETE  
NONPROVISIONAL APPLICATION**

Assistant Commissioner for Patents  
Washington, DC 20231

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Attention: Box Missing Parts

Sir:

In response to the Notice of Incomplete Nonprovisional Application mailed December 17, 2001 (a copy of which is attached), enclosed is a complete specification as prescribed by 35 U.S.C. 112 as required and a copy of the oath and declaration for the above-referenced application. Please charge the \$130.00 surcharge fee applicable for filing the Declaration on a date later than the filing date to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company). If the fee is insufficient or incorrect, please charge or credit the balance to the above-identified account.

Respectfully submitted,

LYNNE M. CHRISTENBURY  
ATTORNEY FOR APPLICANTS  
REGISTRATION NO. 30,971  
TELEPHONE: (302) 992-5481  
FACSIMILE: (302) 892-1026

Dated: January 28, 2002

02/15/2002 MM0HMM1 00000095 041928 09989339

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/989,339	11/20/2001		BB1067 US CNT

23906  
E I DU PONT DE NEMOURS AND COMPANY  
LEGAL DEPARTMENT - PATENTS  
1007 MARKET STREET  
WILMINGTON, DE 19898

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## CONFIRMATION NO. 4340

## FORMALITIES LETTER



\*OC00000007200977\*

Date Mailed: 12/17/2001

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification is missing.  
*A complete specification as prescribed by 35 U.S.C. 112 is required.*

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

*A copy of this notice MUST be returned with the reply.*

B/S

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PART 2 - COPY TO BE RETURNED WITH RESPONSE



PTO/SB/92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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on January 25, 2002  
Date

Lisa Z. Turner  
Signature

**LISA Z. TURNER**

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09/989339

BB1067 US CNT

MISSING PARTS COVER LETTER - INCOMPLETE NonProv. Application 135

COPY SPECIFICATION

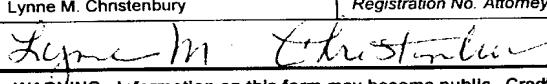
COPY OF DECLARATION

copy of NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

*Final Copy*

 <small>Patent fees are subject to annual revision</small>		<b>Complete if Known</b>	
<small>Applicant claims small entity status. See 37 CFR 1.27</small>		Application Number	09/989339
<small>TOTAL AMOUNT OF PAYMENT</small>		Filing Date	November 20, 2001
<small>(\$)</small> 130		First Named Inventor	S Carl Falco
		Examiner Name	Unknown
		Group / Art Unit	Unknown
		Attorney Docket No.	BB1067 US CNT

METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)				
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None					<b>3. ADDITIONAL FEES</b>				
<input checked="" type="checkbox"/> Deposit Account.					Large Entity	Small Entity			
<small>Deposit Account Number</small> <div style="border: 1px solid black; padding: 2px; display: inline-block;">04-1928</div>					Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
<small>Deposit Account Name</small> <div style="border: 1px solid black; padding: 2px; display: inline-block;">E. I. du Pont de Nemours and Company</div>					105	130	205	65	Surcharge - late filing fee or oath
					127	50	227	25	Surcharge - late provisional filing fee or cover sheet.
					139	130	139	130	Non-English specification
					147	2,520	147	2,520	For filing a request for reexamination
					112	920*	112	920*	Requesting publication of SIR prior to Examiner action
					113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action
					115	110	215	55	Extension for reply within first month
					116	400	216	200	Extension for reply within second month
					117	920	217	460	Extension for reply within third month
					118	1,440	218	720	Extension for reply within fourth month
					128	1,960	228	980	Extension for reply within fifth month
					119	320	219	160	Notice of Appeal
					120	320	220	160	Filing a brief in support of an appeal
					121	280	221	140	Request for oral hearing
					138	1,510	138	1,510	Petition to institute a public use proceeding
					140	110	240	55	Petition to revive – unavoidable
					141	1,280	241	640	Petition to revive – unintentional
					142	1,280	242	640	Utility issue fee (or reissue)
					143	460	243	230	Design issue fee
					144	620	244	310	Plant issue fee
					122	130	122	130	Petitions to the Commissioner
					123	50	123	50	Processing fee under 37 CFR 1.17(q)
					126	180	126	180	Submission of Information Disclosure Stmt
					581	40	581	40	Recording each patent assignment per property (times number of properties)
					146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))
					149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))
					179	740	279	370	Request for Continued Examination (RCE)
					169	900	169	900	Request for expedited examination of a design application
					Other fee (specify)				
					SUBTOTAL (2)      (\$ 0)				
					SUBTOTAL (3)      (\$ 130)				
					*Reduced by Basic Filing Fee Paid				

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Lynne M. Christenbury		Registration No. Attorney/Agent	30,971
Signature			Telephone	302-992-5481

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